

Merits Panel
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P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-9797
Fax: 571-273-0042

Paper 69
Filed: June 30, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JOHN H. **GRIFFIN**,
SAMUEL I. RAPAPORT, and DZUNG T. LE,

Junior Party
(Patent 5,834,223),

v.

BJORN DAHLBACK

Senior Party
(Application 08/500,917).

Patent Interference No. 105,268

Before Lorin, Lane, and Tierney, Administrative Patent Judges.

Lane, Administrative Patent Judge.

Final Judgment - No interference-in-fact- Bd.R. 127

Upon consideration of the record of the interference, it is

ORDERED that there is no interference-in-fact between the involved claims of Griffin's 5,834,223 patent and the involved claims of Dahlback's 08/500,917 application;

FURTHER ORDERED that if there is a settlement agreement the parties are directed to 35 USC § 135(c) and Bd.R. 41.205; and

FURTHER ORDERED that this Judgment shall be entered into the administrative record of Griffin's 5,834,223 patent and Dahlback's 08/500,917 application.

<u>/ss/ Hubert C. Lorin</u>)	
HUBERT C. LORIN)	
Administrative Patent Judge)	
)	
<u>/ss/ Sally Gardner Lane</u>)	BOARD OF PATENT
SALLY GARDNER LANE)	APPEALS AND
Administrative Patent Judge)	INTERFERENCES

TIERNEY, Administrative Patent Judge, dissenting.

For the reasons set forth in my dissent from the Decision on Motions (Paper 68),
I likewise dissent from the judgment of no interference-in-fact.

<u>/ss/ Michael P. Tierney</u>) BOARD OF PATENT
MICHAEL P. TIERNEY) APPEALS AND
Administrative Patent Judge) INTERFERENCES

cc (via Overnight Mail):

Attorney for GRIFFIN:

Lisa A. Haile, J.D., Ph.D.
DLA PIPER RUDNICK GRAY CARY US LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133

Tel: 858-677-1456
Fax: 858-677-1465

Attorney for DAHLBACK:

John J. Cotter, Esq.
KILPATRICK & LOCKHART NICHOLSON GRAHAM, LLP
State Street Financial Center
One Lincoln Street
Boston, MA 02110-2950

Tel: 617-261-3100
Fax: 617-261-3175